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Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime
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Proposals and contributions received from Governments

United States of America: amendments to the revised draft Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Article 2: Definition

1. It is proposed that the following new paragraph be inserted between paragraphs (a) and (b) of article 2:

> "'Broker': Any person who acts as an agent for others in negotiating or arranging contracts, purchases, sales or transfers of firearms, their parts and components and ammunition in return for a fee, commission or other consideration."

Article 5: Criminalization

2. It is proposed that the following new subparagraph be added to the end of paragraph 1 of article 5:

> "Acting as a broker as defined in this Protocol without registering or obtaining a licence or authorization in accordance with article 18 *bis* of this Protocol."

Article 18 *bis*: Registration and licensing of brokers [traders and forwarders]

3. It is proposed that the existing language of article 18 *bis* be amended to read as follows:

> "... shall take steps to require brokers:
>
> "(a) To register with their country of nationality and with any country where the person acts as a broker as defined in this Protocol; and

"(b) To obtain for their transactions a licence or authorization from the country where the person acts as a broker as defined in this Protocol."